

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

BRIAN NOWAKOWSKI and LYNELLE NOWAKOWSKI, *Debtors*, : Case No. 20-10139-JCM
: : Chapter 13
: :
BRIAN NOWAKOWSKI, *Movant*, : Related to Doc. No. 83
: :
v. :
RONDA J. WINNECOUR, CHAPTER 13 :
TRUSTEE, :
Respondent. : :

ORDER

On January 29, 2024, Debtor filed a *Consent Order¹ Regarding Movant's Request to Transfer Title to 2009 GMC Sierra to Duane Sawyer* ("Consent Order") (Doc. 83). The *Consent Order* seeks to sell a 2009 GMC Sierra to Duane Sawyer for \$3,000, while waiving the advertising requirements since the Debtor advertised the sale on Facebook Marketplace, and the sale proceeds will be fully exempt. The Debtor provides a description of the condition of the vehicle in order to justify the \$3,000 purchase price. While the Court may allow the advertising requirements to be waived² under these specific facts of this case, the Court still requires a sale motion to be filed pursuant to W.PA.LBR 6004-1 and 11 U.S.C. § 363.

Therefore,

AND NOW, this 30th day of January, 2024, for the reasons stated above, it is hereby ORDERED, ADJUDGED, and DECREED that the Consent Order (Doc. 83) is DISMISSED without prejudice to being refiled as a motion to approve sale.

SIGNED
1/30/24 1:22 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

BY THE COURT:


John C. Melaragno, Judge
United States Bankruptcy Court

¹ The Chapter 13 Trustee consented to the proposed sale.

² The sale motion should at least be advertised on EASI, as it is a free Court provided service.

In re:
Brian Nowakowski
Lynelle R. Nowakowski
Debtors

Case No. 20-10139-JCM
Chapter 13

District/off: 0315-1
Date Rcvd: Jan 30, 2024

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 01, 2024:

Recip ID **Recipient Name and Address**
db + Brian Nowakowski, 423 Lower Road, Erie, PA 16511-1330

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 01, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 30, 2024 at the address(es) listed below:

Name	Email Address
Denise Carlon	on behalf of Creditor M&T BANK dcarlon@kmllawgroup.com
Lauren M. Lamb	on behalf of Joint Debtor Lynelle R. Nowakowski julie.steidl@steidl-steinberg.com;courtdocs.sands@gmail.com;jsmith@steidl-steinberg.com;LambLR53037@notify.bestcase.com; rlager@steidl-steinberg.com;awerkmeister@steidl-steinberg.com;amattish@steidl-steinberg.com
Lauren M. Lamb	on behalf of Debtor Brian Nowakowski julie.steidl@steidl-steinberg.com;courtdocs.sands@gmail.com;jsmith@steidl-steinberg.com;LambLR53037@notify.bestcase.com; rlager@steidl-steinberg.com;awerkmeister@steidl-steinberg.com;amattish@steidl-steinberg.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov

District/off: 0315-1

User: auto

Page 2 of 2

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Ronda J. Winnecour

cmeccf@chapter13trusteewdpa.com

TOTAL: 5